

TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE
Transcriber's Office

February 27, 1998 LR 45

that they combine those two kinds of government and that somebody start paying more. How are you going to manage that fairly and equitably for those taxpayers? And how are you going to give them any assurances that it is something that they should do? That is the heart of the issue. And what we believe is that the structure that you see in 45CA does the least damage. I would agree with Senator Brown that we should do the least damage, if you want to characterize it that way, and maintain as much uniformity as possible. We think that's what we're doing. I see no way to just blanket provide for those mergers by any other means and not place somebody at jeopardy, not place someone in a position where they can be treated potentially unfairly, notwithstanding Senator Chambers' discussion about the equal protection clause and due process. It is incumbent upon us, I believe, to put the kinds of parameters that you see in 45CA in place so that we have a position from which an individual taxpayer can argue affirmatively that I was not treated properly; that what you did was not reasonable; that what you did did not create a...and if we get to the committee proposal, did not create a direct and substantial relationship between the classifications and the costs that I am bearing. You didn't do it. It isn't fair. And it shouldn't be applied to me. I hope that's what we would achieve if the committee amendment is adopted. I think in some respects we're all focused on the same thing; that is to provide opportunities for local governments to operate more effectively, to still be efficient while they're operating effectively, but not to allow a tyranny of the majority and not to allow people to bear burdens for which they do not receive any benefit.

SENATOR COORDSEN: Thank you, Senator Wickersham. Senator Chambers, your light is next.

SENATOR CHAMBERS: Thank you. Mr. President, members of the Legislature, I would like to resume my discussion with the "Wizard of Harrison," if I may.

SENATOR COORDSEN: Senator Wickersham.

SENATOR WICKERSHAM: Yes.

SENATOR CHAMBERS: Senator Wickersham, the first question I will